

COMMITTEE AMENDMENT FORM

DATE: 08/30/ 06

COMMITTEE ZONING PAGE NUM. (S) _

ORDINANCE I. D. #06-O-0958 SECTION (S)

RESOLUTION I. D. #06-R- PARA.

AMENDS THE LEGISLATION BY ADDING ONE (1) CONDITION WHICH
REQUIRES AN UPDATED SITE DATED 03/14/06.

AMENDMENT DONE BY COUNCIL STAFF 8/29/06

City Council
Atlanta, Georgia

06-O-0958

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-47
Date Filed: 4-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1947, 1957, 1961, 1962, 1967 and 1971 St. Johns Circle, S.E. and 335, 349, 353 and 365 St. Johns Avenue, S.E.** be changed from the R-4 (Single-family residential) District to the MR-3-C (Multi-family Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 90 of the 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR
Z-06-47 for 1947, 1957, 1961, 1962, 1967, 1971, St. Johns Circle
and 335, 349, 353, 365 St. Johns Avenue

1. A site plan that is similar to the site plan titled, "Fair Drive Tract", prepared by Bilson and Associates, prepared for Ron Dupree, dated 03/14/06 and stamped as received by the Bureau of Planning on 4/11/06.

06-0-0958

City Council
Atlanta, Georgia

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SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1947, 1957, 1961, 1962, 1967 and 1971 St. Johns Circle, S.E. and 335, 349, 353 and 365 St. Johns Avenue, S.E.** be changed from the R-4 (Single-family residential) District to the MR-3 (Multi-family Residential) District, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 90 of the 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

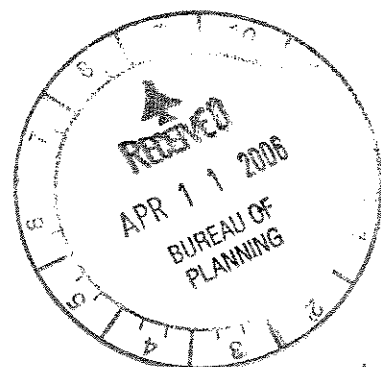
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

LEGAL DESCRIPTION (James R. Crumbley - Part 1 of 3)

All that tract or parcel of land lying and being in Land Lot 90, 14th District, City of Atlanta, Georgia being more particularly described as follows:

Beginning at the intersection of the northern right-of way of St. John Avenue and the western right-of-way of St. John Circle and said point being the True Point of Beginning, thence traveling southwest along the northern right-of-way of St. John Avenue South 47° 42' 31" West - 60.03 feet to a point, thence South 47° 56' 54" West - 60.22 feet to a point, thence North 41° 31' 12" West - 170.01 feet to a point, thence South 48° 00' 53" West - 179.82 feet to a point; thence North 08° 18' 35" East - 341.80 feet to a point, thence North 87° 15' 18" East - 105.86 feet to a point, thence along a curve having a radius of 50.00 feet and an arc length of 39.14 feet being subtended by a chord of South 50° 25' 57" - 38.15 feet to a point, thence along a curve having a radius of 71.90 feet and an arc length of 27.68 feet being subtended by a chord of South 58° 39' 16" East - 27.51 feet to a point, thence South 39° 05' 57" East - 22.30 feet to a point, thence South 28° 25' 00" East - 66.90 feet to a point, thence South 27° 46' 59" East - 174.96 feet to a point on the northern right-of-way of St. John Avenue and said True Point of Beginning.

Said tract to be 1.58 acres more or less.

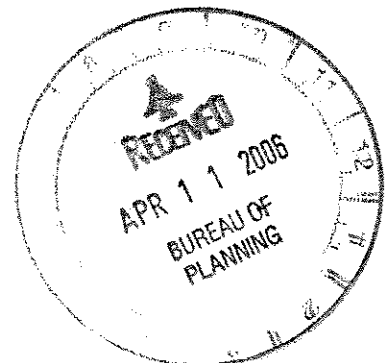


LEGAL DESCRIPTION (James R. Crumbley - Part 2 of 3)

All that tract or parcel of land lying and being in Land Lot 90, 14th District, City of Atlanta, Georgia being more particularly described as follows:

Beginning at the intersection of the northern right-of way of St. John Avenue and the eastern right-of-way of St. John Circle, thence North 29° 08'32" West – 188.71 feet to a point, thence North 23° 12'26" West – 55.88 feet to a point, thence along a curve having a radius of 90.00 feet and an arc length of 35.89 feet being subtended by a chord of North 07° 48'36" West – 35.66 feet to a point, thence along a curve having a radius of 50.00 feet and an arc length of 39.24 feet being subtended by a chord of North 05° 24'15" West – 38.24 feet to a point, thence along a curve having a radius of 50.00 feet and an arc length of 38.99 feet being subtended by a chord of North 50° 00'39" West – 38.01 feet to a point and said point being the True Point of Beginning, thence along a curve having a radius of 50.00 feet and an arc length of 78.22 feet being subtended by a chord of South 62° 50'05" West – 70.48 feet to a point, thence North 38° 59'32" West – 211.18 feet to a point, thence North 08° 18'35" East – 76.43 feet to a point, thence North 67° 37'57" East – 266.54 feet to a point, thence North 78° 11'16" East – 46.16 feet to a point, thence South 18° 35'33" West – 336.00 feet to a point and said True Point of Beginning.

Said tract to be 1.29 acres more or less.



7-06-47

LEGAL DESCRIPTION (James R. Crumbley - Part 3 of 3)

All that tract or parcel of land lying and being in Land Lot 90, 14th District, City of Atlanta, Georgia being more particularly described as follows:

Beginning at the intersection of the northern right-of way of St. John Avenue and the eastern right-of-way of St. John Circle, thence North $47^{\circ} 44' 23''$ East – 110.02 feet to a point and said point being the True Point of Beginning, thence North $28^{\circ} 00' 59''$ West – 180.98 feet to a point, thence North $52^{\circ} 01' 31''$ East – 77.50 feet to a point, thence North $52^{\circ} 01' 31''$ East – 72.97 feet to a point, thence North $18^{\circ} 03' 59''$ West – 58.00 feet to a point, thence North $20^{\circ} 53' 09''$ East – 139.17 feet to a point, thence North $18^{\circ} 25' 24''$ West – 136.10 feet to a point, thence North $18^{\circ} 25' 24''$ West – 83.47 feet to a point, thence North $45^{\circ} 36' 22''$ East – 22.74 feet to a point, thence South $84^{\circ} 55' 22''$ East – 368.05 feet to a point, thence South $06^{\circ} 22' 58''$ West – 463.55 feet to a point on the northern right-of-way of St. John Avenue, thence along a curve having a radius of 547.28 feet and an arc length of 112.09 feet being subtended by a chord of South $60^{\circ} 45' 05''$ West – 111.90 feet to a point, thence South $48^{\circ} 12' 15''$ West – 60.00 feet to a point, thence South $48^{\circ} 24' 21''$ West – 59.97 feet to a point, thence South $48^{\circ} 49' 52''$ West – 60.03 feet to a point and said True Point of Beginning.

Said tract to be 3.77 acres more or less.



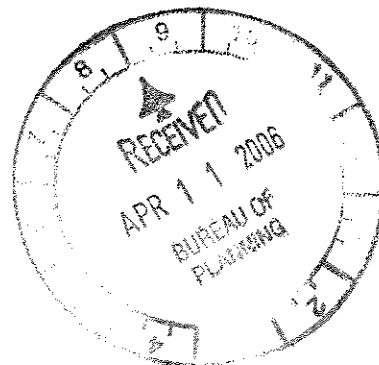
BOBBY DENNIS

LEGAL DESCRIPTION (1962 St. John's Circle)

All that tract or parcel of land lying and being in Land Lot 90, 14th District, City of Atlanta, Georgia being more particularly described as follows:

Beginning at the intersection of the northern right-of way of St. John Avenue and the eastern right-of-way of St. John Circle thence traveling northwest along the eastern right-of-way of St. John Circle North $29^{\circ} 08' 32''$ West - 188.71 feet to a point, thence North $23^{\circ} 12' 26''$ West - 55.88 feet to a point, thence along a curve having a radius of 90.61 feet and an arc length of 35.89 feet being subtended by a chord of North $07^{\circ} 48' 36''$ West - 35.66 feet to a point and said True Point of Beginning; thence along a curve having a radius of 50.00 feet and an arc length of 39.24 feet being subtended by a chord of North $05^{\circ} 24' 15''$ West - 38.24 feet to a point; thence North $37^{\circ} 25' 04''$ East - 279.43 feet to a point, thence South $20^{\circ} 53' 09''$ East - 139.17 feet to a point, thence South $58^{\circ} 56' 23''$ West - 252.12 feet to a point on the eastern right-of-way of St. John Circle, and the said True Point of Beginning.

Said tract to be 0.477 acres more or less.



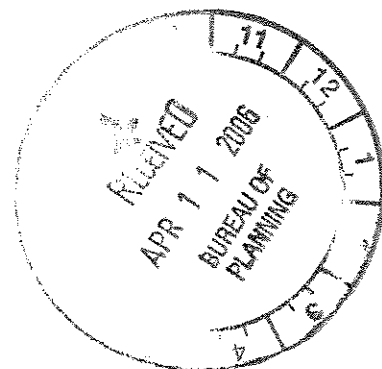
LEGAL DESCRIPTION (1966 St. John's Circle)

JOHN D. WHEELER

All that tract or parcel of land lying and being in Land Lot 90, 14th District, City of Atlanta, Georgia being more particularly described as follows:

Beginning at the intersection of the northern right-of way of St. John Avenue and the eastern right-of-way of St. John Circle thence traveling northwest along the eastern right-of-way of St. John Circle North $29^{\circ} 08' 32''$ West - 188.71 feet to a point on the eastern right-of-way of St. John Circle and said True Point of Beginning, thence North $23^{\circ} 12' 26''$ West - 55.88 feet to a point, thence along a curve having a radius of 90.61 feet and an arc length of 35.89 feet being subtended by a chord of North $07^{\circ} 48' 36''$ West - 35.66 feet to a point; thence North $58^{\circ} 56' 23''$ East - 252.12 feet to a point, thence South $18^{\circ} 03' 59''$ East - 58.00 feet to a point, thence South $52^{\circ} 01' 31''$ West - 262.50 feet to a point on the eastern right-of-way of St. John Circle, and the said True Point of Beginning.

Said tract to be 0.426 acres more or less.



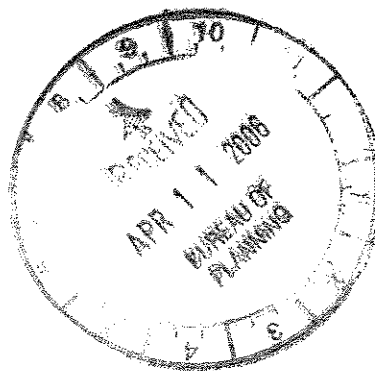
8-0647

LEGAL DESCRIPTION (1957 St. John's Circle)
BONNIE J. GRANT

All that tract or parcel of land lying and being in Land Lot 90, 14th District, City of Atlanta, Georgia being more particularly described as follows:

Beginning at the intersection of the northern right-of way of St. John Avenue and the western right-of-way of St. John Circle thence traveling northwest along the western right-of-way of St. John Circle North 27° 46' 59" West - 174.96 feet to a point, thence North 28° 25' 00" West - 66.90 feet to a point, thence North 39° 05' 57" West - 22.30 feet to a point, thence along a curve having a radius of 71.90 feet and an arc length of 27.68 feet being subtended by a chord of North 58° 39' 16" West - 27.51 feet to a point; thence along a curve having a radius of 50.00 feet and an arc length of 39.14 feet being subtended by a chord of North 50° 25' 57" West - 38.15 feet to a point and said True Point of Beginning; thence South 87° 15' 18" West - 105.86 feet to a point, thence North 80° 13' 03" West - 60.33 feet to a point, thence North 08° 18' 35" East - 200.00 feet to a point, thence South 38° 59' 32" East - 211.18 feet to a point, thence along a curve having a radius of 50.00 feet and an arc length of 40.16 feet being subtended by a chord of South 04° 59' 42" East - 39.09 feet to a point on the western right-of-way of St. John Circle, and the said True Point of Beginning.

Said tract to be 0.443 acres more or less.



RCS# 231
5/01/06
3:04 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-0952, 0953, 0954, 0955, 0956, 0957,
 06-O-0958, 0959, 0960, 0961, 0962 & 0967
 REFER

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
NV Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE